

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

Michael Fody, III

Bky No. 12-45009 (RJK)

Chapter 7

Paul M. Gayle-Smith

Plaintiff

Adv. Proc. No. 12-04298

v.

Michael Fody, III

Defendant

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**STIPULATION AS TO ADMISSIBILITY OF EXHIBITS**

This Stipulation of Facts and Admissibility of Exhibits is entered into by Paul M.

Gayle-Smith and Michel Fody, III.

<i>Exhibit Number/Letter and Description</i>	<i>Stipulated as to identification and foundation?</i>	<i>Further agreement or issues</i>
<b>DEFENDANT'S EXHIBITS</b>		
A. Defendant's discovery requests.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
B. Plaintiff's discovery responses.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility

<i>Exhibit Number/Letter and Description</i>	<i>Stipulated as to identification and foundation?</i>	<i>Further agreement or issues</i>
C. October 11, 2010 e-mail from the plaintiff to the defendant.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
D. January 19, 2011 e-mail from the plaintiff to the defendant.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
E. September 12, 2011 e-mail from the plaintiff to the defendant.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
F. September 16, 2011 e-mail from the plaintiff to the defendant.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
G. October 12, 2011 e-mail from the defendant to the plaintiff.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
H. November 22, 2011 e-mail from the plaintiff to the defendant.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
I. February 22, 2012 e-mail from the defendant to the plaintiff.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
J. March 3, 2012 e-mail from the plaintiff to the defendant.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility

<i>Exhibit Number/Letter and Description</i>	<i>Stipulated as to identification and foundation?</i>	<i>Further agreement or issues</i>
K. October 13, 2012 e-mail from the defendant to the plaintiff.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
L. October 17, 2012 email from the defendant to the plaintiff.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
M. June 7, 2013 Invoice from the plaintiff for professional services.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility
PLAINTIFF'S EXHIBITS		
1. August 1, 2008 email from the defendant to the plaintiff.	Yes	No objections; may be admitted on offer by either party without supporting witness testimony as to admissibility

DAVE BURNS LAW OFFICE, LLC

Dated: June 11, 2013

/e/ David M. Burns

David M. Burns #337869  
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(612) 677-8351

*Attorney for Defendant*

LAW OFFICES OF PAUL M. GAYLE-SMITH

Dated: June 11, 2012

/e/ Paul M. Gayle-Smith

Paul M. Gayle-Smith # \_\_\_\_\_  
2961 Sundance Circle  
Las Cruces, NM 88011  
(575) 522-8300

*Attorney for Plaintiff*